

Order

Michigan Supreme Court
Lansing, Michigan

July 15, 2009

Marilyn Kelly,
Chief Justice

136029 & (21)(25)

Michael F. Cavanagh
Elizabeth A. Weaver
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman
Diane M. Hathaway,
Justices

SEVELTA W. LOFTON,
Plaintiff-Appellee,

v

SC: 136029
COA: 277845
WCAC: 01-000331

AUTOZONE, INC., and EMPLOYERS
INSURANCE COMPANY OF WAUSAU,
Defendants-Appellants,
and

SECOND INJURY FUND (DUAL
EMPLOYMENT PROVISIONS),
Defendant-Appellee.

By order of October 1, 2008, this Court vacated the decision of the Workers' Compensation Appellate Commission (WCAC) mailed April 4, 2007, and remanded this case to the Board of Magistrates for reconsideration in light of *Stokes v Chrysler LLC*, 481 Mich 266 (2008), with instruction that the magistrate assigned to the case take additional proofs upon request of either party and issue a decision. This Court retained jurisdiction. On order of the Court, the assigned magistrate having subsequently presided over an evidentiary hearing and having submitted a new decision in accordance with this Court's instructions, we REMAND this case to the WCAC for review of any challenges the parties may have to the magistrate's decision pursuant to the standard of review established in MCL 418.861a. The motion for leave to file brief amicus curiae is GRANTED.

We do not retain jurisdiction.

KELLY, C.J., and WEAVER and HATHAWAY, JJ., would grant leave to appeal.



0708

I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

July 15, 2009

Corbin R. Davis

Clerk